

PENDING CLAIMS AS AMENDED

Please amend the claims as follows:

1. (cancelled)
2. (currently amended) The method as in claim [[1]] 7, wherein the modulation path is selected from an In-phase (I) branch and a Quadrature (Q) branch.
3. (original) The method as in claim 2, wherein the first channel is a dedicated physical channel on an uplink in the wireless communication system.
4. (currently amended) The method as in claim 3, wherein the wireless communication system includes a plurality of dedicated data channels and at least one dedicated control channel channels.
5. (cancelled)
6. (cancelled)
7. (new) In a wireless communication system, a method comprising:
 - determining a transmission configuration for a first channel as a function of Peak-to-Average Ratio (PAR) on the first channel, the transmission configuration including a spreading code and a modulation path;
 - if the spreading code is used by another channel in the wireless communication system, determining the next best optimum transmission configuration, based on a resultant PAR value; and
 - applying the next best optimum transmission configuration to the first channel.

8. (new) A wireless communication apparatus, comprising:

means for determining a transmission configuration for a first channel as a function of Peak-to-Average Ratio (PAR) on the first channel, the transmission configuration including a spreading code and a

modulation path;

means for determining the next best optimum transmission configuration, based on a resultant PAR value, if the spreading code is used by another channel in the wireless communication system; and

means for applying the next best transmission configuration to the first channel.

B 9. (new) A wireless apparatus, comprising:

a first transmission pair selection unit for determining a transmission configuration for a first channel as a function of Peak-to-Average Ratio (PAR) on the first channel, the transmission configuration including a spreading code and a modulation path;

a determination unit for determining whether the spreading code is in use on another channel; and

a second transmission pair selection unit for determining the next best optimum transmission configuration, based on a resultant PAR value, if the spreading code is used by another channel in the wireless communication system.